

REMARKS

Claims 1-40 are pending in this application for reissue of U.S. Patent No. 6,271,278, which issued on August 7, 2001. This application is a continuation-in-part of U.S. Serial Number 08/416,269, filed April 4, 1995, now U.S. Patent No. 5,750,585. Reexamination and reconsideration are respectfully requested.

I. Claims 1-40 were rejected under 35 USC 102(a) as being anticipated by Hahnle et al. (DE 195 40 951, corresponding to US Patent 6,136,873).

The effective date of Hahnle et al. is May 7, 1997, whereas the filing date of U.S. Patent 6,271,278, for which reissue is sought, is May 13, 1997. However, the claimed subject matter was invented in this country prior to the effective date of Hahnle et al. Evidence of that fact is summarized as follows:

1. The Rule 131 Declaration of inventors Kinam Park, Jun Chen, and Haesun Park, submitted on July 19, 2006, established that the original invention disclosure was sent to the predecessor law firm, Lowe, Price, LeBlanc & Becker, by courier on December 16, 1996.
2. A second Rule 131 Declaration of inventors Kinam Park, Jun Chen and Haesun Park, submitted on December 6, 2006, provided a copy of the aforementioned invention disclosure, entitled "SYNTHESIS OF SUPERPOROUS HYDROGEL

COMPOSITES WITH FAST SWELLING, HIGH MECHANICAL STRENGTH,
AND SUPERABSORBENT PROPERTIES" (Exhibit A).

3. The first Declaration and the sworn Statement of James H. Meadows established that a final draft of the patent application was mailed to lead inventor Kinam Park for review on May 2, 1997, prior to the effective date of Hahnle et al.

4. Absent from the foregoing is evidence of the content of the aforementioned final draft. The inventors and the undersigned have extensively searched their records for a copy of the final draft, but to no avail. Now comes the undersigned, James H. Meadows, who by way of Declaration submitted June 25, 2007 states that, to the best of his recollection, no material changes were made to the May 2, 1997 draft prior to filing the application on May 13, 1997, i.e., that the "final draft" and the application as filed are substantially identical documents.

II. Claims 1-40 were rejected under 35 USC 102(b) as being anticipated by EP 0744435.

EP 0744435 is cited as teaching preparation of hydrogel composites in which the disclosed additives and agents "read on" the recited disintegrants of the claimed invention. However,

none of the disclosed additives and agents anticipates the recited disintegrants, as discussed hereinbelow.

Inclusion of a "dispersion stabilizer" is set forth at page 8, line 56 - page 9, line 26. However, none of the recited materials anticipates crosslinked disintegrants (type i/ii), non-crosslinked having a particulate shape (type iii/iv), or a porous inorganic material that provides wicking by capillary forces (type v).

Treatment of a formed resin with a "surface crosslinking agent" to increase the crosslink density in the vicinity of the surface is disclosed at page 11, line 29 - line 58. However, none of the listed materials anticipate any of the recited type i-v disintegrants.

Further inclusion of a "mixing assistant" is disclosed at page 12, line 50 - line 57. However, none of the disclosed materials anticipate any of the recited type i-v disintegrants.

Further treatment with a "cationic compound" to increase the surface crosslink density is disclosed at page 13, line 1 - line 19. However, none of the listed materials anticipate any of the recited type i-v disintegrants.

The addition of deodorant, perfume, etc., to impart various functions to the resin is disclosed at page 13, line 41 - line

56. However, none of the listed materials anticipate any of the recited type i-v disintegrants.

As is evident from the above discussion, it is clear that EP 0744435 does not fairly contemplate any of the various types (i-v) of recited disintegrants. Hence, the cited reference does not teach or suggest the claimed hydrogel composite.

In view of the foregoing remarks and discussion, it is apparent that the application is in condition for allowance. A Notice of Allowability and reissue are solicited.

If, in the opinion of the Examiner, a telephone conversation could expedite prosecution, the Examiner is invited to telephone the undersigned attorney at the number given below.

Respectfully submitted,


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Date: July 10, 2007

Attachments: Notice dated July 6, 2007, Petition and fee to extend time 2 months

CERTIFICATE OF MAILING

I, James H. Meadows, hereby certify that this paper is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date July 10, 2007. Signature: 